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Eastern & Southern Africa
Commission on Drugs



The Eastern & Southern Africa Commission on Drugs

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Fostering collaboration against the illicit drug trade

The Eastern and Southern Africa Commission on Drugs (ESACD) held its third high-level meeting in Zanzibar, on 3 and 4 September 2024, to work on developing mitigation and harm reduction strategies in the face of an escalating regional illicit drug trade. The chair of the commission, former President of South Africa Kgalema Motlanthe, was joined by fellow commissioners, former President of Mozambique Joaquim Chissano, former President of Mauritius Cassam Uteem, and Associate Research Director of CAPRISA Professor Quarraisha Abdool Karim, and several high-level government representatives. The event was organized by the ESACD, supported by the European Union through its ENACT project (Enhancing Africa's Response to Transnational Organized Crime) and implemented with the Global Initiative Against Transnational Organized Crime (GI-TOC) in its capacity as the secretariat to the commission.



In September 2024, the Eastern and Southern Africa Commission on Drugs held a high-level meeting in Zanzibar to discuss mitigation and harm reduction strategies in response to the escalating illicit drug trade in the region.

In line with the two previous high-level meetings, the third consultation brought together speakers with diverse experiences around a set of pre-defined themes, in order to collectively uncover the precise complexities of the regional drug landscape. Opening the meeting, Maria Rosa Sabbatelli, Head of the Unit for Global and Transregional Threats and Challenges at the European Commission's Service for Foreign Policy Instruments, stressed the importance of developing 'comprehensive and balanced national drug strategies that emphasize law enforcement, public health and social interventions'. She reflected on the benefit of sharing some of the experiences of the European Monitoring Centre for Drugs and Drug Addiction (now the European Union Drugs Agency), highlighting the interrelationship between global and regional initiatives to reform drug policies. Sabbatelli underlined how actions taken by the countries of Eastern and Southern Africa are important not only for the region, but also as a contribution to global efforts to address drug-related challenges, particularly as 'policy changes in one country can have a significant impact on its neighbours'.

Minata Samaté Cessouma, African Union Commissioner for Health, Humanitarian Affairs and Social Development, echoed Sabbatelli's comments on the importance of this meeting beyond the borders of Eastern and Southern Africa, in a foretaste of what session moderator Advocate Vusi Pikoli would later describe as a clarion call for the whole of Africa to unite against the threat of drug trafficking. Cessouma noted that the efforts of the African Union mirror those of the European Union in prioritizing 'evidence-based approaches, regional cooperation and sustainable intervention models'.

The meeting was also honoured by Hemed Suleiman Abdulla, Second Vice President of the Revolutionary Government of Zanzibar, who reiterated the message that the illicit drug trade is a 'threat facing all countries in Africa and the entire world', particularly given the rapid global expansion and diversification of drug markets. He briefly outlined his government's own commitment to developing strategies to mitigate the harms of the trade, and through practical efforts taken both on the Tanzanian mainland and in Zanzibar. Abdulla cited the work of the Drug Control and Enforcement Authority, which was well represented at the meeting. Through collaboration with regional governments, the international community and civil society, including the European Union, the African Union and the ESACD, Abdulla suggested that joint commitment and support could lead to sustainable efforts towards strategies that reflect the needs of the Eastern and Southern Africa region and radiate outwards to positively influence global practices.

Reflecting the multidimensional nature of the drug challenge in the region articulated by the speakers in the high-level segment, the working-level session was organized around four themes, all of which have been identified as priorities by the commission: synthetics, services, surveillance and strategies. These themes were explored by representatives from civil society, multilateral organizations, international non-governmental organizations and academia, alongside the high-level government representation. The four themes opened up a policy-driven conversation that examined from different angles the regional challenges of improving knowledge through data-driven surveillance; the ineffectiveness of current drug policy strategies; the poor access to health and welfare services for people who use drugs; and the rapidly emerging threats posed by the expansion of synthetic drug markets.

TACKLING CRIMINAL INNOVATION

Through its consultations over the past three years, the ESACD has identified synthetic drugs as perhaps the most significant emerging challenge to drug control in the region, particularly in terms of the consequences for public health and public security. The dynamic nature and growth of synthetic drug markets, and the challenges states face in developing effective countermeasures have made synthetics a priority issue for the commission. As one civil society representative explained, 'The growing synthetic drug trend is worsening, doing so widely and rapidly, and Africa is following this trend.' Within the region, South Africa, Mozambique and Mauritius were identified as particularly affected by the trade in illicit synthetic drugs, in part a consequence of their location on major drug trade routes through the Indian Ocean.

Speakers outlined critical developments in the current synthetic drug landscape: the region has shifted from importing finished synthetic cannabinoids to producing them locally by importing precursor chemicals; there is a growing trend for synthetic pharmaceuticals being diverted from state medical facilities to the domestic illicit market; more traditional drugs are being adulterated with or replaced by synthetic alternatives; and the involvement of courier and postal services in micro-trafficking of illicit synthetic substances has increased significantly.

Across the region, synthetic drug production is enabled by ready access to legal, affordable chemicals that serve as precursors for domestic synthesis. This shift was described as having made production easier and cheaper, leading to an alarming rise in the rate of production and availability of substances. Synthetic drugs are also readily available on dark web platforms, which impedes detection efforts by allowing traffickers to bypass intermediaries and reach consumers directly. To complicate matters, these drugs are often disguised as legitimate items – including chilli powder, body lotions, paint pigments and even lacing the pages of books – making them more difficult to identify and easier to transport undetected.

Unlike legal chemical and pharmaceutical synthetic substances, which are synthesized in a controlled, regulated production environment, the multitude of new synthetic drugs emerging across regional drug markets are instead manufactured in clandestine labs that can be located anywhere and adhere to no standards of production control. This makes them particularly dangerous for people to consume, with new generations of synthetic cannabinoids, for example, becoming more potent than previous generations. At the same time, countries in Eastern and Southern Africa lack the capacity within essential state drug control and public health bodies to disrupt the rise of the market, a situation exacerbated by the inadequate national policy frameworks and institutional structures of resilience to the harms of these markets. Participants emphasized how developments in the synthetic drug trade 'underscore the need for innovative, multifaceted responses, both in the public security and in the public health domains', but especially in the development of effective treatment services. Inadequate harm reduction capacity was identified as a particular vulnerability, with treatment services in the region barely able to cope with more traditional drug addiction concerns, such as opioid dependence. Meanwhile, synthetic drugs – a significant proportion of which are not opioids – require a different treatment regime.



Jason Eligh, Senior Drug Expert at the Global Initiative Against Transnational Organized Crime, outlines the growing threat of synthetic drugs in a keynote address to the commission.

New substances, new distribution platforms and new trade routes (with drugs also transiting the region bound for destinations such as Europe, Hong Kong and Dubai) require innovative responses, particularly from policymakers. Improved legislation was therefore identified as an essential tool in initiating the fight against illicit synthetics. Responses to the synthetic drug trade at the institutional level should, however, be mindful of the drugs' impact on health services, social services, law enforcement and policing. Mitigation strategies therefore need to transcend policy instrumentation and embrace improved detection technology and enhanced scientific and forensic intelligence, collaborate with critical industries (including the chemical industry and the consignment sector) and develop measurable outcomes to monitor the ongoing threat.

While synthetic drugs pose a substantial challenge to the region, participants also noted that 'it is not too late to begin to act to respond'. However, they cautioned that the window of opportunity to respond was rapidly closing.

DEVELOPING COMPREHENSIVE SERVICES

While the dedicated panel on synthetics had discussed trends in drug production, distribution and consumption, the conversation about services focused on incorporating effective harm reduction, prevention, treatment, rehabilitation and social reintegration services for people who use drugs, acknowledging that the rise of synthetic substances raises new questions about how to effectively integrate essential these services.

Participants stressed the unique challenges that synthetic drugs pose for harm reduction efforts, noting that traditional treatments like methadone would be ineffective against synthetic substances such as methamphetamine. However, speakers also recognized that service provision issues in the region go beyond synthetics, highlighting the overall deficiency in the availability, accessibility and standard of harm reduction services in general. There was therefore a strong call for readily available and integrated services that address not only the medical needs of people who use drugs but also their social, economic and psychological needs.

Through the discussion on harm reduction, speakers also brought into focus the social justice dimension of the drug trade and response strategies, noting that marginalized communities are disproportionately affected by substance use disorders and therefore bear the brunt of the impact of badly designed drug policies. Considering the development of services, participants observed that supply-focused, strict prohibitionist policies have been shown to be among the least successful in addressing the illicit drug trade, especially when compared to public health-oriented policies, which have instead proven highly effective. Participants therefore urged that law enforcement and public health approaches should be integrated, not just as a matter of policy but also as a moral issue.

In expanding on what one participant described as the need to tackle ‘more than the presence of the drug itself’, the session also considered the other essential services that should surround harm reduction, including vocational training, condom programming and the provision of naloxone for overdose prevention. In providing other kinds of services, drug treatment can become an ‘entry point’ for accessing vital forms of treatment, particularly for co-morbidity problems such as tuberculosis, HIV and mental health disorders. Speakers noted that harm reduction should also be integrated with social reintegration and psychosocial support programmes, designed to improve the quality of life of people who use drugs rather than necessarily aiming for abstinence. However, current harm reduction services, where they exist, are often concentrated in major urban areas, leaving many rural areas underserved.

The ongoing criminalization and stigmatization of drug use were cited as a significant barrier to accessing essential services. Representatives from communities of people who use drugs noted that public awareness and education could help reduce discrimination and improve uptake of services, and advocated for people who use drugs to be treated not as patients but as ‘equal partners in harm reduction intervention’. Speakers noted that people who use drugs should be consulted not just in the development of treatment services but also in developing sustainable drug policy, with one participant referring to South Africa’s forward-looking approach of involving people who use drugs in consultation around its national drug strategy.

The need for a whole-of-society approach – engaging law enforcement, public health, civil society and communities of people who use drugs – was foregrounded as critical for the development of effective drug policy. Such an approach requires regional and international collaboration, and a multi-stakeholder framework that mobilizes all sectors of society, particularly engaging community representatives and listening to the voices of the most affected population groups. Echoing Motlanthe’s emphatic statement in his opening address that ‘alongside the war on drugs, the war on people who use drugs must also end’, the panel called for the development of new strategies that are evidence-driven and fit for purpose, alongside the growth of health and welfare services and community interventions to tackle the harms of the illicit drug trade in the region.

SUPPORTING COHERENT STRATEGIES

Building on the discussion on services, the session on strategies also underlined the critical need for affordable and accessible drug treatment services and rehabilitation programmes. A major shortcoming identified in the region’s mitigation efforts was the low coverage of drug use treatment centres. One participant noted, for example, that the number of opioid-substitution treatment programmes in the region is ‘almost negligible’ given the extent and growth of substance use disorders and the socio-economic conditions driving them. Additionally, the high cost of essential medicines like methadone, combined with funding constraints, frequently results in sub-optimal treatment doses being given to those in

need. One speaker underscored the need to find ways to reduce the cost of methadone and other essential medications, remarking on the importance of optimal dosing to provide people with the best possible care.

Throughout the discussion, participants advocated for a more humane and compassionate approach to those living with substance use disorders. A central aspect of this approach is understanding the underlying causes of problematic drug use. While there has been a shift away from viewing drug use primarily through a criminal justice lens, one participant also raised concerns about the limitations of the medical model, which tends to pathologize drug users, categorizing them as 'sick' when generally they are not. Instead, the speaker voiced support for a bio-psychosocial approach, which considers the role of trauma and other social factors in driving problematic drug use. Meaningful engagement with affected communities, alongside consultation with faith-based organizations, community leaders and private medical practitioners was also deemed essential, with one speaker observing that doctors and allied health professionals in the region are often 'poorly trained and poorly equipped to deal with drug use disorders'.

The session also explored the broader structural drives of the drug trade and usage in the region, particularly in the context of rapid urbanization and worsening inequality. As one speaker noted, as structural problems grow, 'the possibilities of people entering into drug use increase daily'. This is particularly relevant for Eastern and Southern Africa, as it is among the fastest-urbanizing regions in the world, and urbanization often brings with it greater access to drugs but also brings people into contact with a variety of other harms – what one speaker referred to as the 'harmscapes of the urban context' – which can exacerbate the risk of problematic drug use. The prevalence of drug use among youth in this region is also critical, and reflects the need for more targeted interventions.

However, as Motlanthe emphasized in his opening address, the strategies and interventions used to combat the drug trade in the region should 'reduce and not produce harms'. Reflecting this, one participant referred to the militarized eradication of coca crops in Colombia, carried out in partnership with the United States. This campaign, which involved the aerial spraying of herbicides such as glyphosate, had negative consequences not only for the environment – by polluting soil and water sources – but also for human health. This example serves as a reminder of the importance of not creating secondary problems that could amplify harms.

Discussing effective strategies, participants noted the need to leverage new technologies, including artificial intelligence, to combat the illicit drug trade. Among the measures proposed were developing a coordinated maritime enforcement strategy, implementing decriminalization for personal use and redirecting efforts towards high-level traffickers. The conversation also touched on the need to introduce measures targeting connected illicit markets such as money laundering and terrorism financing, with proposed strategies including the seizure of assets purchased with criminal proceeds from the illicit drug trade.

Additionally, referring people who use drugs to treatment centres as an alternative to arrest and incarceration, establishing safe consumption sites and working to reduce discrimination were all mentioned as critical components of good drug policy. Pragmatism was emphasized as being beneficial in the establishment of service delivery structures, prioritizing low-cost and low-threshold services to ensure accessibility to people who use drugs while also appealing to potential donors. One participant suggested that service provision could start out simply and be built up incrementally, but that entry-level access and foundational support are vital. At the same time, participants also highlighted the need to use resources more effectively, building on what is already in place and avoiding duplication of efforts.

The importance of drug-checking services was also identified as a critical intervention, especially given the unpredictable nature of synthetic drugs. These are locally based initiatives, often run by civil society groups, that enable people who use drugs to have their drugs tested to determine whether the substance is what it is supposed to be, and to identify whether or not the substance has been adulterated (for example, contaminated by the addition of something else, such as fentanyl). As one speaker noted, 'There's nothing new about synthetic drugs. But when we buy them on the street or on online services through couriers, we really don't know what we are buying, and therein lies the danger.' This pre-empted the discussion on data gathering, with participants agreeing that the danger of the unknown applies not only to synthetics – 'even the drugs we think we know have unknown elements in them'.

A RESPONSE BUILT ON BETTER DATA

Current capacity in the region to detect and identify new substances is inadequate. The service delivery needs outlined in the discussion on strategies raised the question of the importance of robust data collection and analysis when it comes to tackling illicit drug markets, particularly as a tool for understanding and identifying market trends and consumer demands. This is underscored by the mantra that one cannot provide services for a problem that one cannot see. While the previous panel had therefore identified drug treatment referral centres as vital sources of good data on drug trends, the discussion on surveillance focused more on law enforcement strategies through the wider lens of regional collaboration.

Improved surveillance – encompassing better data, knowledge and foresight of what is on the horizon – was widely described by participants as a vital tool in the fight against drug trafficking, and a necessary component of informing more effective national and regional responses to drug markets and their harms. An aspect of this is the proposal to establish a regional drug observatory that can act as a hub for data collection, analysis and dissemination. In addition to serving as a central repository for data on drug-related issues, a regional drug observatory would be able to promote intelligence-sharing (particularly among coastal nations) and the alignment of drug policies across the region. As a representative from the cooperation programme EU-ACT 2 noted, ‘In a context where crime is increasingly transnational, the ability to exchange data in real-time with other jurisdictions is critical to the success of investigations.’

However, data collection relevant to understanding the market should be carried out in a way that is sensitive and does not lead to what one participant described as a ‘drug panic’ or otherwise violate an individual’s right to privacy. This is where evidence comes in. Instead, data could form an essential part of combating drug panics by also promoting greater evidence-based understanding of the kinds of illicit drugs that are being consumed in the region as well as the motivations behind drug use. As a member of civil society noted, referring to data on the components of substances, ‘This knowledge is not only important for people who are in law enforcement and for people who are in the business of policymaking, but it is also important in reducing the fear and anxiety of the user community, their families, the community more broadly, and of course law enforcement, because they know what they are dealing with.’

Indeed, the absence of concrete data holds back problem-solving and can exacerbate public health and safety issues, especially for vulnerable populations. Education strategies can go a long way to contributing to a narrative shift around drug use in particular – elevating human dignity instead of shaming and blaming drug users, in line with the European Union’s commitment to making human rights a central consideration in drug policy development. Participants agreed that effective drug policies must be built on a foundation of sustainable development, harm reduction, health promotion and respect for human rights, following the ESACD’s promotion of an evidence-based and human rights-focused approach grounded in factual, objective, reliable and comparable information.

STARTING WITH CANNABIS

The broader discussions on drug policy reform and response strategies fed into a reflection on the ESACD’s regional consultation meeting on cannabis regulation, held in Maputo, Mozambique, in August 2024. The meeting brought together government officials, law enforcement representatives and civil society members from countries in Eastern and Southern Africa, as well as delegates from countries with more established cannabis regulations, to share their experiences in pursuing cannabis policy reform based on incentives for public health and economic development. The meeting was designed to facilitate the exchange of knowledge to support the development of tailored, collaborative solutions for managing the cannabis trade in the region, as part of a growing recognition of the need for updated drug policies in Eastern and Southern Africa.

The meeting focused on the policy elements of cannabis decriminalization and legalization, with the objective of enabling representatives from countries in Eastern and Southern Africa to engage with experts and implementers from other countries where cannabis policies have already been revised towards regulated models. The participants exchanged views and experiences with respect to regulatory oversight, pinpointed key structural elements of successful programmes, and identified opportunities to enhance effective implementation and oversight of new policies and strategies for the regulation of policies.

Reflecting on the Maputo meeting and the broader context of cannabis regulation, discussants noted that the region is at a critical juncture in cannabis regulation, with decisions being made now that are likely to have far-reaching consequences. Speakers emphasized the need for comprehensive regulatory efforts, including the establishment of consistent quality standards and the development of frameworks adapted to each country's specific cultural, social, economic and political context. However, participants also cautioned against an approach that removes all controls and leaves cannabis in a regulatory limbo. Conversely, regulation should entail proceeding with caution in implementing a balanced and cohesive strategy that works to promote public health, social justice and economic opportunities while addressing both supply and demand.

South Africa's experience was presented as a case study in this regard. In 2018, the South African Constitutional Court effectively decriminalized cannabis for personal use in private spaces, based on a legal challenge and not on a government decision, and essentially leaving the commercial aspects of the trade in a grey area. The slow process then leading up to the passing of the Cannabis for Private Purposes Act in 2024 allowed the market, rather than the government, to dictate the terms of trade. Speakers pointed out that even now, regulations remain unclear 'to the point of absurdity', leading to challenges particularly for law enforcement. One participant noted, for example, that 'the police have been put in an impossible situation, where unregulated cannabis products are sold openly with a veneer or pretence of legality and ... most people don't know or in fact care what is legal in terms of cannabis'.

The discussion also revisited the ineffectiveness of a rigid, prohibition-based response to the drug trade. Instead, speakers advocated for a more sophisticated and balanced approach to drug policy, under which the regulatory framework is seen as a 'dynamic system'. With this, the discussion placed cannabis reform within the broader context of drug policy reform, emphasizing similarly the need to adhere to principles of human rights and sustainable development and evidence-based approaches, to balance the need for robust public health and safety measures and consideration of equitable distribution of benefits. As one speaker noted, many of the principles behind establishing a legally regulated market for cannabis are transferable to other areas of drug policy: 'Whether we want to decriminalize use of all drugs or not, we'll probably have to take quite different approaches to each of the different substances and in the different countries, but across all of these there will be a need for coherence, decisiveness, frequent review and careful balancing of the various regulatory tools.'

Considering South Africa's lost opportunity to lay the groundwork for a rational regulatory system, participants recommended approaching cannabis regulation instead with caution, coherence and precision, emphasizing the importance of frequent policy reviews and adjustments, ongoing stakeholder engagement throughout the process, and building mechanisms for flexibility and adaptability into the regulatory framework. As one participant concluded, 'The stakes are high but so are the rewards.'

THE PATH FORWARD

The ESACD's Zanzibar meeting, in providing a vital platform for dialogue on the complex challenges of reforming drug policy in Eastern and Southern Africa, showcased regional and international commitment to making strides in our collective understanding of critical issues. Working within the themes of synthetics, services, surveillance and strategies, the

discussion over the course of the meeting focused on the need for greater regional and global commitment in combating challenges related to illicit drugs in the region. Working off the premise that ‘drug traffickers know no international boundaries’, and that efforts to mitigate the trade should follow suit, speakers agreed that regional international collaboration is perhaps the most important factor in addressing these issues. This was made clear from the outset, with Sabbatelli expressing that ‘working together, sharing knowledge and maintaining a focus on public health and human rights, we can make significant progress in addressing the challenges posed by drugs in this region’.

While the meeting was organized and implemented to encourage regional change around how national responses to drug-related challenges are designed and implemented, the dialogues approached this objective intending to engender wider public discussions and engage with policymakers and other stakeholders to catalyze discussion of new approaches and reforms. The discussion that emerged was not only reasoned and informed but also cautiously optimistic. While the illicit industry is indeed fast-moving and illegal substances are becoming more potent and increasingly dangerous, a number of nations are moving along the right path, as we have seen with cannabis regulation, and can be supported by the commission to go forward. As Motlanthe’s closing address emphasized: ‘The problem is deep and wide but not insurmountable.’

Going forward, the ESACD has reaffirmed its role as the pre-eminent regional focal point for research, evaluation, policy engagement and advocacy for a new generation of drug policies. Eschewing what has largely been seen as an approach of ceremonial advocacy, undertaken by other similar bodies, the ESACD pursues its mandate in the manner of a working commission. In so doing, it will continue to bring together a team of respected and influential public figures from a range of disciplines to contribute to thematic dialogues on various region-specific policy options to respond to illicit drug markets and advocate for reform-based measures and approaches that deprioritize policing of low-level drug offenders, enhance access to service provision and incorporate the voices of people who use drugs. The ESACD is committed to pursuing change towards not only appropriate evidence-based drug policy in the region, but also the development of tailored, sensitive and compassionate policies that, critically, prioritize human rights. It will continue to do this through targeted local advocacy support initiatives, pursuit of specific research ventures to identify challenges and solutions to those challenges, and by convening high-level engagements in order to open space for the investment and involvement of other assistance-oriented initiatives that support the objectives of the commission, and of the drug reform needs of the states within its region.

Participants widely agreed that the ESACD high-level meeting offered the potential for facilitating further work in reforming drug policy, with the hope expressed that another opportunity would be provided for us to continue recognizing the value of conversations across different geographies, particularly in the Global South, with the possibility of Eastern and Southern Africa becoming the standard bearer of robust, evidence-based and human rights-focused drug policy. As one participant concluded, ‘We really need to be thinking beyond the challenges of our region’. We need to recognize how our region, and its response, fits into the global landscape, and how the commission’s work and influence can draw the two together, so that we might contribute to the potential for wider change and North-South learning.



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secretariat@esacd.org

